IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10431 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

NIRMA CONSUMER CARE LIMITED

Versus

RAMSONS DISTRIBUTORS

Appearance:

1. Special Civil Application No. 10431 of 2003

MR MB GANDHI for Petitioner No. 1

MR SAMIR J DAVE for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 01/10/2004

ORAL JUDGEMENT

1. The petitioner herein has preferred this petition in order to quash and set aside the order dated

31/08/2000 passed below Summons for Judgment in Summary Suit No.255 of 1999, whereby, unconditional leave to defend the proceedings was granted to the defendants.

2. I have heard the learned counsel for the parties and have perused the relevant documents on record. Considering the fact that the amount in dispute is more than Rs.50 Lacs and unconditional leave to defend the proceedings has been granted to the defendants, it would be appropriate to direct the trial Court to expedite the hearing and disposal of the suit. Moreover, the said suit is of the year 1999 and by directing the trial Court as aforesaid, I am of the opinion that ends of justice would be met.

3. Hence, it is directed that the trial Court shall expedite the hearing of the suit and shall dispose it of, as expeditiously as possible, and within a period of nine months from the date of receipt of writ of this order. With the above direction, the petition stands disposed of. Rule is made absolute to the aforesaid extent.

(K. S. Jhaveri, J.)

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